



Attorney Docket No.: 02-107410US Client Reference No.: 0191.210US

DECLARATION

As a below nam	ned inventor, I declare	that: ········		
inventor (if only matter which in ENZYMES the	y one name is listed be is claimed and for v	elow) or an original, first and which a patent is sought or h_ is attached hereto or X	joint inventor (if plural the invention entitled	I believe I am the original, first and sole inventors are named below) of the subject in NUCLEOTIDE INCORPORATING 2001 as Application No. 09/920,452, and
amendment refer in accordance was Code, Section	erred to above. I acknowith Title 37, Code of I 119 of any foreign application for patent or inven-	owledge the duty to disclose in Federal Regulations, Section In plication(s) for patent or inve	nformation which is mat 56. I claim foreign pri- ntor's certificate listed l	cluding the claims, as amended by any terial to the examination of this application ority benefits under Title 35, United States below and have also identified below any application on which priority is claimed.
Prior Poreign	Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
L I hereby claim t	he benefit under Title	35, United States Code § 1190	(e) of any United States p	provisional application(s) listed below:
	A	Application No.	Filing D	Date
		60/222,056	July 31, 2	2000

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

October 31, 2000

60/244,764

Application No.	Date of Filing	- Status

Attorney Docket No.: 02-107410US Client Reference No.: 0191.210US

Full Name of	Full Name:					
Inventor 1:	Sun Ai Raillard					
Residence &	City:	State/Foreign Country:	Country of Citizenship:			
Citizenship:	Mountain View	California	Switzerland			
Post Office	Post Office Address:					
Address:	964 Trophy Drive, Mountain View, CA 94043					
Full Name of	Full Name:					
Inventor 2:	Mark Welch					
Residence &	City:	State/Foreign Country:	Country of Citizenship:			
Citizenship:	Fremont	California	United States			
Post Office	Post Office Address:					
Address:	25 Montalban Drive, Fremont, CA 94536					
Full Name of .	Full Name:					
Inventor 3:	Jon Ness					
Residence &	City:	State/Foreign Country:	Country of Citizenship:			
Citizenship:	Sunnyvale	California	United States			
Post Office	Post Office Address:					
Address:	1220 N. Fairoaks Ave #2115, Sunnyvale, CA 94089					

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1 Sun Ai Raillard	Signature of Inventor 2 Mark Welch	Signature of Inventor 3 Jon Ness
Dull Al Rallal G	11104 14 17 12 12 1	
Date 10 (15/0)	Date 10 18 01	Date 10/5/01

declaration.doc

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OLD TO SOLE

(Modified) PTO/SB/81 (11-96) Approved for use through 6/30/99. OMB 0651-0035 0191.210US

AUTHORIZATION OF AGENT, NOT ACCOMPANYING APPLICATION

	0131.21000
Application Number	09/920,452
Filing Date	July 31, 2001
First Named Inventor	Sun Ai Raillard
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	02-107410US

I hereby appoint:		•			
No. of the second of the secon	Anna an Alimette				
X Practitioners at Cus	stomer Number	22798 Type Customer Num	hor Horo		
AND		Type Gustomer Num	nei meie	22798	
X Practitioner(s) named	d below:			PATENT TRADEMARK OFFICE	
	Name		F	legistration Number	
Norman J. K	ruse		35,235		
Sharon Fujit	а		38,459		
Joanne Petit			42,995_		
Christopher			40,021		
Margaret A.	Powers		39,804		
as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith. Please change the correspondence address for the above-identified application to: X The above-mentioned Customer Number. OR					
Firm or Individual Name					
Address					
Address					
City			State	Zip	
Country			- T		
Telephone Fax					
I am the Applicant. X Assignee of record of the entire interest (Certificate under 37 CFR 3.73(b) is enclosed) SIGNATURE of Applicant or Assignee of Record					
Name Michael S. Rabbon					
Signature * Lulul Rus					
Date 10 18 C1					
CERTIFICATE OF MAILING					
CENTIFICATE OF MAILING					
I hereby certify that this correspondence is being deposited with the United States as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: CCTOCC 20, 2001					
Typed or printed name ACKINGTA ALLISON					
Signature	laisyand	hu alline	بر ار	Date CCTODETZLE, ZCC	





PTO/SB/96 (2-98) Approved for use through 09/30/02000. OMB 0651-0031 STATEMENT UNDER 37 CFR 3.73(b)

Арр	licant:	Su	n Ai Railla	rd, et al.			
Арр	lication	n No.:	09/920,45	2		Filed:	July 31, 2001
Entitled: NUCLEOTIDE INCORPORATING ENZYMES							
Max	cygen,			, a	·· <u>·</u>		ration
		(Name of Ass	ignee)		(Type of Assignee, e.g., o	corporation, partne	ership, university, government agency, etc.)
states t	that it i	s:					
1. X	tł	ne assig	nee of the e	entire right,	title, and interes	st; or	
2.	a	n assigr	nee of an ur	ndivided pa	rt interest		
n the p	atent a	applicati	on identifie	d above by	virtue of either:		
A. [X] OR	assig	nment v	nt from the vas recorde thereof is a	d in the Pa	of the patent ap tent and Traden	oplication id nark Office	dentified above. The at Reel, or fo
3. []			e from the i nee as sho		of the patent ap	plication id	dentified above, to the
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3.	The o		nt was reco		To: Patent and Trac which a copy the		
[]	Addit	ional do	cuments in	the chain o	of title are listed	on a suppl	lemental sheet
[X]Co	pies o	f assigni	ments or ot	her docume	ents in the chair	of title are	e attached.
The un	signee.		i	supplied be	× July	Signati	Michael C Dabass
					Ту	oed or prin	ted named Senior Vice Preside
						Title	• • • • • • • • • • • • • • • • • • •



NOT FOR RECORDATION

Attorney Docket No.: 02-107410US Client Reference No.: 0191.210US

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Sun Ai Raillard, of 964 Trophy Drive, Mountain View, CA 94043, Mark Welch of 25 Montalban Drive, Fremont, CA 94536, Jon Ness of 1220 N. Fairoaks Ave #2115, Sunnyvale, CA 94089, , , of , of , and of hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention:	NUCLEOTIDE ENZYMES	INCORPORATING			
Filing Date:	July 31	, 2001			
Application No.:	09/920	09/920,452			
WHEREAS, Maxygen, Inc., a Delaware corporation, located at 515 Galveston Drive					

Redwood City, California 94063 United States of America, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and which claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignment Application No.: 09/920,452 Page 2

IN TESTIMONY WHEREOF, Assignors have signed his/her name on the date indicated.

Dated: 10 - 15 - 01	Sun Ai Raillard
SIGNATURE WITNESSED BY: (1) Date: 10 / 15 01	Signature of Witness 1
Dated:	Mark Welch
SIGNATURE WITNESSED BY: (1) Date: 17 18 01	Signature of Witness 1
Dated: 10/9/01	Jon Ness
SIGNATURE WITNESSED BY: (1) Date: 10 9 01	Signature of Witness 1